

1 JOHN M. MCCOY III, Cal Bar. No. 166244  
Email: mccoymj@sec.gov  
2 FINOLA H. MANVELIAN, Cal. Bar No. 180681  
Email: manvelianf@sec.gov  
3 JESSICA R. PUATHASNANON, Cal. Bar No. 208074  
Email: puathasnanonj@sec.gov  
4 BERNARD B. SMYTH III, Cal. Bar No. 217741  
Email: smythb@sec.gov

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6 Attorneys for Plaintiff  
Securities and Exchange Commission  
Rosalind R. Tyson, Regional Director  
7 Andrew G. Petillon, Associate Regional Director  
5670 Wilshire Boulevard, 11th Floor  
8 Los Angeles, California 90036  
Telephone: (323) 965-3998  
9 Facsimile: (323) 965-3908

10  
11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **SECURITIES AND EXCHANGE**  
14 **COMMISSION,**

15 Plaintiff,

16 vs.

17 **NEWPOINT FINANCIAL SERVICES,**  
18 **INC.; JOHN FARAHI; GISSOU**  
19 **RASTEGAR FARAHI; and ELAHEH**  
20 **AMOUEI,**

21 Defendants,

22 and

23 **TRIPLE "J" PLUS, LLC,**

24 Relief Defendant.

Case No. CV10-0124 DDP (JEMx)

**STIPULATION TO MODIFY  
TEMPORARY RESTRAINING  
ORDER TO PERMIT COUNSEL TO  
DRAW AGAINST PRE-EXISTING  
RETAINERS TO PAY FOR  
SERVICES RENDERED TO DATE**

1 WHEREAS, Bird, Marella, Boxer, Wolpert, Nessim, Dooks &  
2 Lincenberg, P.C. ("Bird Marella") had been representing John Farahi and  
3 NewPoint Financial Services, Inc. ("Newpoint") for over six months prior to the  
4 filing of the Complaint by the Securities and Exchange Commission ("SEC") in  
5 the above-entitled case;

6 WHEREAS, Freeman Freeman & Smiley LLP ("FFS") had been  
7 representing NewPoint Financial Services, Inc., John Farahi, Gissou Rastegar  
8 Farahi, and Elahesh Amouei, in the SEC's pre-filing investigation;

9 WHEREAS, on January 8, 2010, this Court issued a Temporary  
10 Restraining Order: (1) Freezing Assets; (2) Appointing James H. Donell as  
11 temporary receiver over defendant NewPoint Financial Services, Inc. and relief  
12 defendant Triple "J" Plus, LLC; (3) Prohibiting the Destruction of Documents; and  
13 (4) Requiring Accountings; and Order to Show Cause Re Preliminary Injunction  
14 and Appointment of Permanent Receiver;

15 WHEREAS, Bird Marella and FFS hold monies in retainer that may  
16 be subject to the Temporary Restraining Order;

17 WHEREAS, counsel have had discussions regarding the status of and  
18 title to the monies held in retainer;


19 WHEREAS, the SEC and the Temporary Receiver agree that Bird  
20 Marella and FFS may be permitted to draw monies from their pre-existing retainers  
21 to pay for services rendered to date;

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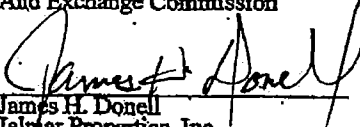
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1 IT IS HEREBY STIPULATED by and between the parties that  
 2 notwithstanding the provisions of this Court's January 8, 2010 temporary  
 3 restraining order, Bird Marella may draw monies from its retainer not to exceed  
 4 \$70,000 and FFS may draw monies from its retainer not to exceed \$25,000 to pay  
 5 for services performed through the date of entry of the proposed order.

6 Dated: January 25, 2010

7   
 8 Bernard B. Smyth  
 9 John M. McCoy III  
 10 Attorneys for Plaintiff Securities  
 11 And Exchange Commission


12 Dated: January 25, 2010

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 14 James H. Donell  
 15 Jalmar Properties, Inc.  
 16 Temporary Receiver for Defendant  
 17 NewPoint Financial Services, Inc. and Relief  
 18 Defendant Triple "T" Plus, LLC

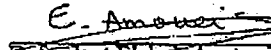
19 Dated: January \_\_, 2010

20   
 21 Defendant John Farahi

22 Dated: January \_\_, 2010

23   
 24 Defendant Gissou Rastegar Farahi

25 Dated: January \_\_, 2010

26   
 27 Defendant Elahch Amouei  
 28